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GAZETTE EXTRAORDINARY

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D. Dis. No. 10322/49/DD. ORDER.

Whereas under Government Orders L4-4021/49/DD. dated 31st August 1949 and L2-10322/49/DD dated 29th December 1949 the Industrial dispute between certain Cinema Theatres in Trivandrum, (employers) and their workmen (represented by the All Travancore Cinema Theatre workers Union) was referred for adjudication to the Industrial Tribunal at Trivandrum:

And Whereas the said Tribnual has given its award in respect of the dispute relating to Uma Films consisting of Chitra Talkies and the Central Theatre, shown in the annexure hereto:

Now, therefore in exercise of the powers conferred by Sections 15 and 19 of the Travancore-Cochin Industrial Disputes Ordinance, 1950 (V of 1950) the Government are pleased to make the following order and to direct with reference to Section 17 of the said Ordinance that the award be published in the Gazette of the Travancore-Cochin Government.

The award made by the said Tribunal shall bind the said employers and the said workmen for a period of one year from the date of publication of this award in the Gazette.

(By order)

Government Secretariat,
Development Department,
Labour Section,
Trivandrum, 15th April 1950.

V. K. VELAYUDHAN,
Secretary to Government.

ANNEXURE.

BEFORE

SRI C. S. LAKSHMANAN PILLAI.

Industrial Tribunal Sole Member

IN THE MATTER OF

INDUSTRIAL DISPUTE No. 15 OF 1125 TO THE EXTENT IT CONCERNS

Uma Films Consisting of Chithra Talkies and the Central Theatre

BETWEEN

THE EMPLOYER—UMA FILMS CONSISTING OF THE CHITHRA TALKIES AND THE CENTRAL THEATRE

AND

THE WORKMEN EMPLOYED IN THE ABOVE TWO THEATRES

Represented by

THE ALL TRAVANCORE CINEMA THEATRES WORKERS' UNION.

AWARD.

This dispute came up during the pendency of Industrial Dispute No. 2 of 1125 which arose on the demands put forward by the All Travancore Cinema Theatre Workers' Union on behalf of the workmen in the various cinema theatres at Trivandrum. The demands of the workmen were opposed by the employers and since no amicable settlement was possible the dispute was referred to this Tribunal for the necessary enquiry and adjudication. The employers also advanced certain claims and contentions against the workmen and presented a petition to Government praying that these matters should also be referred to this Tribunal. Government were pleased to accept their prayer and by order L. 2-10322/49/DD dated 29-12-1949 this dispute also was referred to this Tribunal under section 10 (i) c of the Travancore Industrial Disputes Act of 1124 as continued in force by the United State of Travancore and Cochin Administration and Application of Laws Ordinence, 1124 (I of 1124) for adjudication.

2. This dispute concerned two employers and their respective workmen. One employer is Mr. P. Subramoniam who owns four cinema theatres: Sree Kumar, Sri Padmanabha, Sri Karthikeya and the New Theatres; while the other employer is concerned with the Uma Films having two Theatres, the Chithra Talkies and the Central Theatre. The dispute to the extent it concerns Mr. P. Subramoniam and the workmen employed in his four theatres terminated under a compromise effected between the parties and an award has already been passed in terms of that compromise. The dispute thereafter concerned only the employer of the Uma Films having the Chithra Talkiee and the Central Theatre and their workmen.

3. Since this dispute arose on the demands advanced by the employer, he has to state his case in the first instance. The workmen are bound to file the statement of their case only in reply to the employer's statement. The employer concerned in the Uma Films was called upon to file the written statement of his case on 16th January 1950. He did not file the statement on that day nor did he seek any adjournment for the purpose. The case was again posted for the same purpose to 20th March 1950. On that day also the employer did not file any statement nor did he even care to apply for any further adjournment. A registered notice was thereafter sent to the employer. The last portion of that notice runs thus: "As a matter of grace I allow through this notice one more opportunity for you to file the written statement of your case and post the case for that purpose on Wednesday the 29th March 1950. If you fail to do the needful on that day you *will be treated as exparte and the case will be disposed of without waiting for your appearance.*" Even after serving the above notice there was no appearance by or for the employer on 29th March 1950.

4. The facts stated in the preceding paragraph show the absence of any earnestness on the part of the employer in the conduct of his case before this Court and the demands mentioned in his petition submitted before Government do not therefore call for any consideration. I pass an award rejecting all these demands He will not have any right to put forth any of the above demands for a period of one year from the date of the publication of this award in the Government Gazette. This award will be submitted to Government as required under section 15 (i) of the Travancore-Cochin Industrial disputes Ordinance of 1950.

Trivandrum,
31st March 1950.

C. S. Lakshmanan Pillai,
Industrial Tribunal,
Sole Member.

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